

Gary Mack  
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9/17/93

Dear Gary,

After responding to a letter from MARY I realized that perhaps I should write you, too. She expressed her concern about the coming Livingstone evil and said that she and Buck cannot think of suing you had said tha you will. You told me that months ago. I've been writing Carroll in a sense making him witting of Harry's miserable record on accuracy and telling hi<sup>u</sup> he should think of the position in which I'll be, that if I must I'll certainly defend myself. As I thought about this, while I do not expect to hear from him, I'm waiting a day or so<sup>u</sup> more until I tell him that if I have no reason to believe the evil will not appear he should think of what <sup>a</sup> might do in advance. I did mention a few things I do have in mind.

There is a part of the Maryland code that prohibits and makes a felony of charging an indictable offense. That is what I called to the States Attorney's attention. (They appear not to have reached any decision.) I think you may<sup>u</sup> want to take this up with a lawyer or your local DA to see if there is such a provision of the Texas code.

Although you may consider that you put C & G on notice I think they may be inclined to pay more attention to a lawyer. Who may find they have already violated Texas code. And if so that would give them the most serious problems if they then published.

By the usual procedures the book should be about in manufacture for November appearance. Maybe the Posner trash will hurry it up. But they usually allow time for reviews.

I have been putting Carroll on notice with regard to all of us, I believe. Before manufacture. On notice with Harry's record of the greatest inaccuracies.

And I'm sure C & G has done no checking or gotten what can without vomiting be called a peer review.

I think also that you (pl) should keep in touch with bookstores down there to keep informed. C & G can't communicate with all but I think they'll consider your cities prime markets.

I really think that not waiting to get hurt is the best course. Ask lawyer!

Best,

Hardy